

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Medical Review Division regarding a medical fee dispute between the requestor and the respondent named above.

I. DISPUTE

1. a. Whether there should be additional reimbursement of \$10,825.47, for dates of service 06/22/01 and extending through 06/26/02.
- b. The request was received on 06/05/02.

II. EXHIBITS

1. Requestor, Exhibit I:
 - a. TWCC 60
 - b. UB-92
 - c. EOBs
 - d. Any additional documentation submitted was considered, but has not been summarized because the documentation would not have affected the decision outcome.
2. Respondent, Exhibit II:
 - a. Letter responding to Request for Dispute Resolution
 - b. UB-92
 - c. Any additional documentation submitted was considered, but has not been summarized because the documentation would not have affected the decision outcome.
3. Carrier was not notified of additional documentation as none was received from the Requestor. The 14 day response from the insurance carrier was received in the Division on 07/25/02, in response to the letter requesting additional documentation from the Requestor, dated 07/10/02 per the Medical Dispute Resolution Information System. Therefore, all of the information in the case file will be reviewed and a decision will be written accordingly.

III. PARTIES' POSITIONS

1. Requestor:

There was no position statement found in the case file.
2. Respondent:

“For inpatient bills under the stop loss threshold, the Texas Workers[sic] Compensation Commission has established that a fair and reasonable reimbursement for implants are manufacturers[sic] cost plus 10%. It has been noted that on billings exceeding the stop loss threshold the hospital mark up/charge to the workers’ compensation carrier often far exceed cost plus 100%. The hospital has not submitted the manufacturers[sic] invoices for this particular billing, however (Carrier) has invoices from this facility as well as other facilities within Texas that seem to suggest that the charge for the implants on this admission exceed what is fair and reasonable.”

IV. FINDINGS

1. Based on Commission Rule 133.307(d) (1) (2), the only dates of service eligible for review are those commencing on 06/22/01 and extending through 06/26/02.
2. The Provider billed the Carrier \$123,833.13 according to the submitted Table of Disputed Services, for the dates of service 06/22/01 and extending through 06/26/02.
3. The Carrier made a total reimbursement of \$52,599.38 according to the submitted Table of Disputed Services, for the dates of service 06/22/01 and extending through 06/26/02.
4. The amount left in dispute is \$10,825.47 according to the submitted Table of Disputed Services, for the dates of service 06/22/01 and extending through 06/26/02.

V. RATIONALE

Medical Review Division's rationale:

The Provider did not submit any medical documentation as required by Rule 133.307 (g)(3)(B) in their dispute packet to support that the services were rendered. The Medical Review Division is unable to determine what services were rendered or what services could be deducted such as personal items or those not related to the compensable injury. Therefore, additional reimbursement is not recommended for the dates of service 06/22/01 and extending through 06/26/02.

The above Findings and Decision are hereby issued this 7th day of November 2002.

Michael Bucklin
Medical Dispute Resolution Officer
Medical Review Division

MB/mb